

**Clark County Planning Commission**  
**Regular Meeting – 2 p.m.**  
**Wednesday, August 2, 2006**

**Administration Building**  
**of the former Springview Center**  
**3130 East Main Street**  
**Springfield, OH 45505**

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## ***AGENDA***

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|--|---|------------------------------------|
| <b>1. Minutes – July 5, 2006 (Regular)</b> |   | <i>Discussion &amp;<br/>Action</i> |
| <b>2. Rezoning Case</b><br>Z-2006-10       | <b>Karen S. Hamilton</b><br>Mad River Township ~ 3.12 acres<br>8790 Dayton Rd.<br>A-1 to PD-M   | <i>Discussion &amp;<br/>Action</i> |
| <b>3. Rezoning Case</b><br>Z-2006-11       | <b>Robert L. Adams</b><br>Moorefield Township ~ 56.045 acres<br>4870 Mumper Rd.<br>A-1 to AR-10 | <i>Discussion &amp;<br/>Action</i> |
| <b>4. Adjournment</b>                      |   | <i>Action</i>                      |

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# Minutes

## Clark County Planning Commission

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Regular Meeting ~ 2 p.m.  
Wednesday, July 5, 2006

Administrative Building  
of the former Springview Center  
3130 East Main Street  
Springfield, Ohio 45505

Mr. Max Cordle, Chairperson of the Clark County Planning Commission, called the meeting to order at 2:00 p.m.

Present: Mr. Max Cordle, Mr. Lowell Bicknell, Mr. Robert Jurick, Mrs. Nora Parker, Mrs. Elaine Stevenson, Mr. Elliott Turner, Mr. Roger Tackett.

Absent: Ms. Diane Jordan, Mr. Allen Perkins, Mr. Detrick, and Mr. Hartley.

### CPC: 7-34-2006: Minutes ~ May 3, 2006 (Regular Meeting)

Motion by Mrs. Parker, seconded by Mr. Turner, to approve the minutes as presented.

*VOTE:* Motion carried unanimously.

### Ethics Policy Draft Discussion

Mr. Shane Farnsworth explained that the Ethics Policy is being developed for all boards to use, as a guide in situations that may arise, to ensure that board members are working within the law. He said that Mr. Chris Kinsler of the Prosecutor's Office has contacted about 1/3 of the counties in Ohio (medium to large counties) and none of the counties contacted has an ethics policy to date. Clark County has clearly taken the lead. Planning directors in other counties think it is a great idea. Other boards within Clark County have expressed an interest in our proposed ethics policy.

Mr. Farnsworth gave a brief overview of the document and explained the examples taken from the Clinton County Personnel Policy Manual and the Clark County Historical Society Code of Ethics. He defined "abstention" and gave examples of "conflict of interest". Responsibility and education were touched upon. This document will be streamlined so that it will be quicker and easier to make appropriate decisions. The public will begin to see continuity to all boards.

Mrs. Parker asked if it is inappropriate to give a recommendation for a student to a company that has come before the board.

Mr. Farnsworth replied that if, for example, a company has been granted a rezoning and the student applies for a job and uses a board member for a reference, it would be appropriate for the board member to give the reference. If, however, the company comes to the board member and offers to give a job to the member in return for his vote on the rezoning, it would not be appropriate for the board member to comply with the company's offer.

Mr. Jurick asked if it would be a conflict of interest if he referred someone with whom he works in the planning community for a job or consultant opening in the Planning Commission.

Mr. Farnsworth answered that if the consultant used a board member for a reference, he would ask for additional references. A conflict would arise if the board member actively lobbied for the consultant to be hired.

Mr. Jurick suggested that the document be supplemented with situations which might arise for board members. He asked if a board member can attend a township meeting to present technical testimony and support for either side of a case.

Mr. Farnsworth responded that you must be careful to state who you are (ex: citizen of Clark County, BW Greenway, Tecumseh Land Trust, BIA, Clark County Planning Commission). If you are attending as a representative of the Clark County Planning Commission, the board should send you. It is important to identify yourself and make clear who you are representing. Chris Kinsler (Prosecutor's Office) is working on different scenarios.

There was a discussion regarding different scenarios. Instead of becoming involved in a case, a board member should refer the issue to planning staff. If a board member is going out to a site to do a pre-meeting inspection, there should be no contact with the applicant/landowner because there would be no public record of the meeting. This could create doubt and question.

Mr. Chris Kinsler, Prosecutor's Office, stated that his goal is to create a policy that is tailor-made for this board. Anytime that a board member has a question, he/she can contact Mr. Kinsler for his opinion, or contact the Ethics Commission to get an "advisory opinion". An advisory opinion puts the board member in a no-fault situation as long as the advice is followed.

Mr. Farnsworth asked the turnaround time once something is submitted to the Ethics Commission in writing.

Mr. Kinsler responded that he is not certain, but it would probably take a couple of weeks. He plans for the handbook to include contact instructions for the Ethics Commission. It is required by law to provide board members with a copy of the ethics law (everything in the statute that pertains to ethics). Mr. Kinsler's intention is to provide the board members with a handbook that would include the ethics statutes, policies, and additional practical materials drawn from ethics advisory opinions.

Mrs. Stevenson asked a question regarding the draft section which reads "During public service...one year after leaving...represent any person, in any fashion...": If the board approves a subdivision while she is on the board, and a year later the developer asks her to represent him in real estate transactions, is she free to do that?

Mr. Kinsler responded that she cannot represent the developer in front of a public agency. If she is acting as just the salesperson for the lots, this would be acceptable. If, however, the developer requires a representative for a rezoning, this would not be acceptable. Whether another member of the real estate company could handle the rezoning would need to be researched. If she is absent from or does not participate in the original board meeting regarding this matter, she would be free to represent the developer in all matters pertaining to the subdivision, without restrictions. The best solution would be to abstain from board proceedings. "Participation" means both discussion and voting.

# *Minutes*

## *Clark County Planning Commission*

Mr. Bicknell asked: If a member of the Planning Commission votes on zoning regulation changes, can he/she attend the Rural Zoning Commission meeting as a private citizen and express a personal opinion on the proposed regulation changes?

Mr. Kinsler responded that he believes that it would be acceptable if it is as a concerned citizen and not as a representative for someone else.

Mr. Jurick mentioned that the American Planning Association has a series on ethics for planning commissions and professional planners but they are not necessarily related to the Ohio Revised Code. They do a lot to improve the appearance of conflict of interest.

Mr. Kinsler said that our policy will mostly be rooted in the law.

Mrs. Stevenson asked for a definition for "confidential information".

Mr. Kinsler responded that whatever is discussed during a board meeting is public information and would not be confidential.

Mr. Farnsworth noted that the Board of Zoning Appeals has the authority to go into executive session, but this board does not. Likewise, the Board of County Commissioners and the City Commissioners have executive sessions.

Mrs. Stevenson asked if the agendas that the board members receive before the meeting are confidential.

Mr. Farnsworth responded that anything that they receive is public information.

Mrs. Parker asked if information received from the planning office which is not included in the agenda is considered to be confidential.

Mr. Kinsler answered that no it would not. There must be some legal or contractual requirement that the information not be disclosed or be disclosed only to certain parties. He continued by giving examples of confidential documents (employee records, client records). Even if the word "confidential" is removed from the policy, it would remain part of the statute.

There was a brief discussion regarding possible policy wording for abstentions. Mr. Kinsler said that He would draft some sentences for the board to consider.

Mr. Farnsworth thanked Mr. Kinsler for his input.

### *Major Subdivision Subcommittee Discussion*

Mr. Farnsworth announced that the subcommittee will meet next Wednesday or Thursday afternoon (July 19<sup>th</sup> or 20<sup>th</sup>). The meetings will last 1 to 1 1/2 hours at the most.

# *Minutes*

## *Clark County Planning Commission*

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### Staff and Board Comments:

The review for the Mad River Township Plan is being wrapped up by the Prosecutor's office and staff is planning to have it to the Commissioners soon.

Regarding the Crossroad Comprehensive Plan, staff will be reviewing all of the different plans (hospital plan, school master plan, parks master plan) and incorporating them into the master plan.

### Adjournment

#### CPC: 7-35-2006: Adjournment

Motion by Mr. Turner, seconded by Mr. Bicknell to adjourn the meeting.

*VOTE:* Motion carried unanimously.

The meeting was adjourned at 3:29 p.m.

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Mr. Max Cordle, Chairperson

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Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

## Rezoning Case # Z-2006-10

To: Clark Planning Commission	Date of Meeting: August 2, 2006
From: Planning Staff	Date of Report: July 25, 2006

**Applicant:** Karen Sue Hamilton

**Request Action:** Rezone **from - A-1** (Agriculture District)  
**to - PD-M** (Planned Development - Mixed Use)

**Purpose:** Single family residential  
Transit Residential - 2 bedroom Bed and Breakfast with serving kitchen  
Banquet/Assembly Meeting area  
Catering kitchen

**Location:** 8790 Dayton Rd.

**Size:** 3.12 acres

**Existing Land Use:** single-family residence

### Surrounding Land Use and Zoning:

	Land Use	Zoned
North	residential	A-1 (Agricultural)
South	agriculture	A-1 (Agricultural) & FP (Flood Plain Overlay District)
East	agriculture & commercial	A-1 (Agricultural), B-3 (General Business)
West	agriculture & undeveloped	A-1 (Agricultural), B-3 (General Business), I-1 (Industrial District), & FP (Flood Plain Overlay District)

### ANALYSIS

This area was zoned A-1 Agricultural when zoning was originally adopted.

## REPORTS FROM OTHER AGENCIES

### *County Engineer*

The County Engineer has reviewed the request to rezone 3.12+ acres located at 8790 Dayton Road, from A-1 Agricultural zoning to Planned Development Mixed Use (PD-M) zoning for the Ohio Barn Bed & Breakfast. There are existing buildings located on the property, which are being renovated for use as the B&B.

Access to a public roadway (Dayton Road) is provided via a parallel access road, Ada Lane from the bed and breakfast facility. Dayton Road functions as a major collector, as designated on the Clark County Thoroughfare Plan. There are no expected issues related to traffic anticipated by the proposed use, which is considered low impact by this office.

*Rezoning Case # Z-2006-10 (continued)*

The drainage appears satisfactory under the present use. It is not anticipated that the requested zoning change and/or use of the property will have any significant impact on the amount of runoff. No major changes to landscape are expected, that would require the owner to develop or address stormwater issues at this time.

Based upon our review of access and drainage, there are no objections to the requested change.  
(See July 25, 2006 letter)

***County Utilities Dept.***

The Clark County Utilities Department has reviewed the referenced rezoning case and has the following comments. Public water is available to the property. An extension of public water was constructed west along Dayton Road to Black Lane in 2005. The waterline runs along the southern perimeter of the referenced property.

Based on our review of the information provided, we have no objections to the proposed rezoning. Please let me know if you have any questions or comments concerning the above.  
(See July 13, 2006 letter)

***Planning Department***

This area is shown as Community Commercial development on the **CROSSROADS** Comprehensive Land Use Plan which should be directed to existing business districts and major highway interchanges. Development along commercial corridors should meet the County's access management standards in terms of combined access. A low-density, sprawled commercial pattern is not supported along the County's major arterials. Where adjacent to existing or planned neighborhoods, commercial development should provide pedestrian connections to reduce auto congestion and should be well buffered to reduce negative impacts on such neighborhoods.

The applicant has submitted a PD-M Plan for the development of a 3+ acres located at 8790 Dayton Road consisting of the following:

<b>PD-M PLAN</b>	
( based on items submitted with the rezoning application)	
<b>EXISTING USES -</b>	Single-Family Residential
<b>PROPOSED USES -</b>	Single-Family Residential (existing - 2321 SF) [bldg. 'A' - 48' X 54'] Transit Residential, 2 bedroom Bed & Breakfast with serving kitchen (existing barn, first floor - 2400 SF) [bldg. 'B' - 40' X 60'] Banquet / Catering Kitchen/ Assembly Meeting Area (existing barn, second floor) [bldg. 'B' - 40' X 60'] Proposed storage & toilet room, (new - 500 SF) [bldg 'C' - 20' X 25']
<b>UTILITIES -</b>	<u>WATER</u> - provided by private well in conformance with Health Dept. <u>SEWER</u> - Single-Family residential - existing on-site system Commercial - new EPA approved mound system which will be constructed in the southeast front corner of the property. It is anticipated that work on the mound system will be late 2006 - early 2007. (Note by applicant - public sewer is economically infeasible for this property)
<b>BLDG. COVERAGE -</b>	Building size to lot ratio - 4% land coverage Exterior storage - none

**PD-M Plan continued**

<b>SIGNAGE -</b>	New 32 SF two sided sign located on north side of road 12' off R-O-W. Signage along Dayton Road paid for by owner & erected by Clark County. Signage on property located as shown on site plan.
<b>PARKING -</b>	Existing parking will be on grass for general parking. Parking is anticipated at a maximum of 75 cars or approximately 22,500 SF. Occupancy of the Barn will be limited to 125 persons. Handicapped parking will be on asphalt paving in areas indicated.
<b>LOADING -</b>	Loading area is required for off-site caterers. Deliveries handled on asphalt pavement adjacent to barn.
<b>LANDSCAPING -</b>	The existing natural landscaping will be maintained. The theme of this development is Ohio agricultural. The bed and breakfast and banquet facilities are located in a renovated 1895 bank barn.
<b>TIMETABLE -</b>	Late 2006 / early 2007 - On-site mound sewage system; storage barn; and modifications to the barn.

In reviewing this proposal, we noted several items which must be addressed -

- 1) No screening of the parking areas is noted on the Plan.
- 2) The Plan does not show where the "on the grass" parking is located.
- 3) The Plan does not show the location of signs as indicated in their application submission.

Although the site does not meet the requirement of having direct access to a major street, the access road is not a minor residential street. The County Engineer's Office does indicate any access issues.

If any of the uses requires a sprinkler system, a water line is located at the front of this property. Public sewer is about 1100' from the property.

## **RECOMMENDATION**

The proposed PD-M rezoning appears to be compatible with the surrounding uses and, for the most part, preserves the character of the site. The Staff recommend approval of this PD-M as presented provided the three issues noted above are addressed.

This approval does not supercede any issues related to the building code or regulatory requirements of other agencies.

**Attachments:**

PD-M Plan matrix (Attachment 'A')  
Preliminary PD Plan (Attachment 'B')  
PD-M Plan Drawing (Exhibit 2)  
County Engineer's letter  
County Utilities letter  
Location Map  
Zoning Map



**ATTACHMENT "A"**  
**REZONING CASE Z-2006-10**  
**Karen Sue Hamilton - 8790 Dayton Rd. - A-1 to PD-M**

**CHAPTER 4 PLANNED DEVELOPMENT DISTRICT REQUIREMENTS AND PROCEDURES**

**Section A PD Planned Development Districts  
Requirements and Procedures**

1. Intent. The intent of the Planned Development Districts is to establish a zoning procedure for the development of areas on a planned basis in accordance with an overall Development Plan and specific procedures for site plan review and approval. In addition, it is proposed to be flexible in the regulation of basic land planning and to encourage imaginative site planning that serves the overall development. Planned Development Districts are intended to be located in areas which are served with appropriate infrastructure.
2. Purpose. The PD Planned Development District is established to:
  - (a) Permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.
  - (b) Conserve land through more efficient allocation of an overall development design through new techniques not available through strict adherence to usual zoning standards.
3. Applicability. The provisions of this Chapter may apply to any land within the unincorporated area of the County that are regulated by County Zoning, which are to be developed in a more flexible manner than permitted by the provisions of Chapter 2 of these Regulations. All requirements of the Clark County Subdivision Regulations shall be complied with.

ZONING REGULATIONS	COMMENTS
<p>4. Development Requirements.</p> <p>(a) The physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property on or off the site from possible flooding, erosion, subsidence or other dangers, annoyances or inconveniences.</p> <p>(b) The site shall have direct access to a major street* and not generate traffic on minor residential streets outside the district. This requirement does not apply to single family detached residential developments having an overall density of four dwelling units per acre or less.</p> <p>(c) Utilities and public facilities for the proposed development shall be installed at the expense of the developer.</p> <p>(d) The development shall provide for efficient, safe, convenient and harmonious grouping of structures, uses and facilities.</p> <p>(e) There shall be an appropriate relationship of space, inside and outside buildings, to the intended uses and structural features.</p> <p>(f) Provision shall be made at points of ingress, egress and within the district to ensure a free and safe flow of vehicular and pedestrian traffic.</p> <p>(g) Common areas and open space may be required.</p> <p>(h) All off-street common parking for more than five cars, all service areas for loading and unloading vehicles, and all areas for storage and collection of trash and garbage shall all be properly screened.</p>	<p><i>There does not appear to be any limiting factors to the proposed development..</i></p> <p><i>The site does not have direct access to a major street nor would the uses generate traffic on a minor residential street. Access is via Ada Lane.</i></p> <p><i>No screening of parking areas indicated on plans.</i></p>

\* Major street is any street other than a "Local street" as shown on the Thoroughfare Plan.

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>5. Standards for Planned Development "PD" Districts.</p> <ul style="list-style-type: none"> <li>(a) The planned development should be completed within the period of time specified in the schedule of development submitted by the developer.</li> <li>(b) The planned development shall not jeopardize public health, safety and morals.</li> <li>(c) The street system within the site shall be designed to adequately serve the proposed development, relative to use and type. If warranted or recommended by the County Engineer, the developer may be required to submit a traffic study to determine whether offsite improvements or devices are needed to maintain a suitable level of service on the adjacent public roadways.</li> <li>(d) The development should not impose an undue burden on public services, utilities, or other infrastructure and facilities, including fire and police protection.</li> <li>(e) The development plan shall contain such proposed covenants, easements and other provisions relating to the proposed development standards, as are reasonably required for public health, safety and morals.</li> <li>(f) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses, and any part of the planned development not used for structures, parking and loading areas, or accessways, shall be landscaped, improved, or otherwise used appropriately in concert with the overall development.</li> <li>(g) When a planned development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear a relationship equal to or greater than to the total open space to be provided in the entire planned development as such stages or units completed or under development bear to the entire planned development.</li> <li>(h) A major change in the development plan is defined as: <ul style="list-style-type: none"> <li>(1) an increase in the proposed baseline density of the entire project or any phase/section thereof of greater than 15%</li> <li>(2) a change in the proposed uses</li> <li>(3) a change in the proposed utilization of public infrastructure of more than 15%</li> </ul> </li> </ul> <p>6. <u>Criteria for Approval.</u> In approving an application for a Planned Development the reviewing authorities shall determine:</p> <ul style="list-style-type: none"> <li>(a) That the proposed development is consistent with the purpose and intent applicable standards of these Zoning Regulations and the Comprehensive Plan.</li> <li>(b) That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained.</li> <li>(c) That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other Zoning Districts in these Regulations.</li> <li>(d) That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic.</li> <li>(e) That any part of the development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved unless left in a natural state.</li> </ul>	<p>The <b>CROSSROADS</b> Plan shows this area as commercial.</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>(f) The plan is acceptable, or will be acceptable, to the County Engineer, Clark Soil &amp; Water Conservation District, the Combined Health District or Ohio EPA and the provider of public sewer and water (if applicable).</p> <p>(g) That significant cultural, historical, and natural amenities of the site are preserved and protected.</p> <p>(h) That common areas and open space will be managed and maintained for the long term.</p> <p>(i) That infrastructure, including sewer and water, will be sufficient for the needs of the occupants and not precipitate health or safety problems in the future.</p> <p>7. The applicant/owner/developer is encouraged to undertake informal discussions of a concept plan with the County Planning staff prior to submitting a preliminary PD plan.</p> <p>8. <u>Preliminary PD Plan.</u> The owner of land who wishes to develop his property according to the provisions of this chapter, shall submit six (6) copies of a preliminary PD plan and application for preliminary approval. The preliminary PD plan for the use and development of the area of land shall list all requested variations from requirements of the underlying district in which the tract of land is located. The preliminary PD plan may show a range of dimensions and need not have the specificity of the final plan. The application shall be accompanied by the following:</p> <p>(a) A location map affixed to the plan.</p> <p>(b) A preliminary PD plan of the proposed development drawn to an appropriate scale, showing:</p> <p>(1) Existing and proposed uses.</p> <p>(2) Topographic contours at two (2) foot intervals or less on the PD property and within two hundred (200) feet of the proposed development.</p> <p>(3) Location of floodplain and wetlands on the PD property and adjacent thereto.</p> <p>(4) Location of existing and proposed streets, including points of connection.</p> <p>(5) Location of existing and proposed utilities, including points of connection.</p> <p>(6) Location and type of drainage and storm water management facilities.</p>	<p>Location Map - Exhibit 1</p> <p>Preliminary Plan - Exhibit 2</p> <p><b>Existing uses -</b> Single Family Residential</p> <p><b>Proposed uses -</b> 1. Single family residential 2. Transit Residential (2 bedroom Bed and Breakfast with serving kitchen) 3. Banquet/Assembly Meeting area 4. Catering kitchen</p> <p>Topography - Exhibit 3</p> <p>Floodplain data - NA</p> <p>N/A</p> <p>Utilities - Exhibit 4 <b>Water</b> - provided by private well in conformance with the Clark County Health Department <b>Sewer</b> - Single-family residential - Existing septic system and leach bed located in the front yard of the home Commercial use - new EPA approved mound system Public sewer is economically infeasible for this property <b>Electric</b> - Local power company <b>Gas</b> - Local power company</p> <p>Drainage - Existing sheet drainage - No changes anticipated</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
(7) Approximate number of structures, by type use and size, proposed for the planned development.	<p>Number of structures - Three</p> <ol style="list-style-type: none"> <li>1. Existing single family residence - 2,321 SF</li> <li>2. Existing barn for Bed and Breakfast &amp; Assemble space - 2400 SF</li> <li>3. Proposed storage and toilet room building - 500 SF</li> </ol>
<p>(8) For non-residential uses:</p> <ol style="list-style-type: none"> <li>a) building size-to-lot ratio</li> <li>b) plans for storage of any items outside of buildings</li> <li>c) signage standards</li> </ol>	<p>Building size to lot ratio - 4% land coverage</p> <p>Exterior storage - none</p> <p>Signage - existing to remain</p> <ol style="list-style-type: none"> <li>1. New 32 SF two sided sign located on the north side of the road 12'-0" off the right of way.</li> <li>2. Signage along Dayton Road paid for by owner and erected by Clark County.</li> <li>3. Signage on property located as shown on site plan</li> </ol>
(9) Proposed general arrangement of the buildings.	Proposed building arrangement - see Exhibit 2
(10) Location and area (size) of proposed open spaces either to be held in common or publicly, and whether it is to be used for active recreational purposes or only as an environmental amenity.	Open Space - NA
(11) Sketches to show the general architectural design of buildings, types and character of the development.	Architectural design - see attached photographs and brochures
(12) Legal description of the tract of land for the planned development.	Legal description - see Exhibit 5
(13) Parking provisions.	<p>Parking provisions -</p> <ol style="list-style-type: none"> <li>a. Existing parking will be on grass for general parking. Parking is anticipated at a maximum of 75 cars or approximately 22500 SF. Occupancy of the Barn will be limited to 125 persons.</li> <li>b. Handicapped parking will be on asphalt paving in areas indicated on Exhibit 2</li> </ol>
(14) Loading facilities, if any.	<p>Loading facilities - The only loading that is required if for off site caters who service the banquet facility. Delivery of off site prepared food is on the day of the event and is commonly by one small truck or van. At the end of the event the caterer removes all food, dishes, serving items etc. Delivery happens on the asphalt paving adjacent to the barn.</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
(15) Proposed landscaping approach (theme).	<p><u>Landscaping</u> - The existing natural landscaping will be maintained. The theme of this development is Ohio agricultural. The bed and breakfast and banquet facility are located in a renovated 1895 bank barn. The original timbers and stonework of the barn have been preserved with careful modifications that enhance the rustic and farm like character of the facility. A white pergola sits in a simple grass field and offers brides an opportunity for a garden wedding. In keeping with the owner, Karen Hamilton's artistic nature, the field behind the barn boasts a number of sculpture installations. These enhance the natural surrounds and add charm and ambiance without intruding on the environment.</p> <p>The bank barn is divided by uses - bed and breakfast on the lower level and assembly on the upper level. An entry porch has been added to the upper level to create a sense of arrival and this porch is often used for food service. The entrance to the bed and breakfast is on the lower level and affords a more intimate approach. A landscaped stone walk and covered porch lead to the gathering room and two sleeping rooms.</p>
(16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.	<p>Both the house and barn have been in existence on this property. The new uses will not impact the character or look of the grounds. The new storage! toilet building complements the existing buildings. Its size is such that the impact on the site will be minimal. The wood construction will match the existing residence and adjacent barn.</p> <p>Addition to the barn will include an exterior stair to provide emergency exiting for the users of the upper floor and modifications to the front entry/deck to allow for handicapped accessibility</p>
(17) An overview of existing and planned uses in surrounding area and expected impact of the proposed development on them.	<p>The area immediately adjacent and within 200 feet of the proposed use is agricultural in nature. There should be no impact.</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>(18) General description of natural features of the site (trees, vegetation, floodplain, wetlands, streams) and approach for preserving and protecting them during construction and final build out.</p>	<p>The site is rolling and wooded along the perimeter. The new mound system is anticipated to be located in the southeast front corner of the property. The design will be integrated in the slope that fall from back to front and be covered with grass. The final appearance should not be significantly different from the existing.</p> <p>Construction for the mound system will not impact land other than that immediately adjacent to the paved drive. It is being designed by Gary Davis who has worked in the area and is familiar with the EPA and Clark County requirements.</p> <p>The location of the storage/toilet building is immediately adjacent to the paved drive and its construction should not impact any of the natural features of the area. Modifications required to the upper level of the barn will be minor in nature and should not impact any of the areas around the barn itself. These modifications will include a new stair from the banquet area and a handicap accessible entry.</p> <p>No modifications are anticipated for the bed and breakfast areas.</p>
<p>(19) Proposed timetable for development including general description and diagram of phases of development.</p>	<p>It is anticipated that work on the mound system will be late 2006 - early 2007. During this same period, the storage barn will be completed and the modifications will be made to the barn.</p> <p>All areas of construction are accessible from the paved drive or parking areas. This will prevent any damage to the site.</p>
<p>9. <u>Preliminary PD Plan Approval.</u> Approval of a preliminary PD plan shall be in accordance with procedures set forth herein. Approval of the zoning of the land to a PD district shall constitute approval of the preliminary plan. A preliminary PD plan shall be valid for no more than 36 months, unless specifically provided otherwise in the PD approval. The Preliminary Plan shall be considered void unless a Final PD Plan has been submitted for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved.</p>	
<p>10. <u>Report of County Planning Commission.</u> Upon completion of review of the preliminary PD plan of the planned development, the Commission shall recommend either approval or denial of the plan and shall report its findings to the Rural Zoning Commission and County Commission. The report shall address the following: the variations in setbacks, lot area requirements, building heights, building types, sizes of buildings, consistency with the Comprehensive Plan, the combination of land uses, and traffic flow will be in the public interest, in harmony with the purposes of this code and other building regulations of the County and will not adversely affect nearby properties.</p>	

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>11. <u>Changes in an Approved Preliminary PD Plan.</u> Major changes in an approved preliminary PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director.</p> <p>12. <u>Final PD Plan.</u> Applications for approval of the final PD plan shall meet all the requirements of the preliminary PD plan and include the following:</p> <ul style="list-style-type: none"> <li>(a) Detailed plans and specifications of the planned development.</li> <li>(b) Building elevations and floor plans for all structures.</li> <li>(c) Details of materials to be used for exterior construction.</li> <li>(d) A landscape plan including screening and buffering, if necessary, between the proposed and existing development.</li> <li>(e) Maintenance/ownership details of open space areas including stormwater facilities.</li> </ul> <p>13. <u>Final PD Plan of Phase/Section.</u> After preliminary approval of the entire planned development is given, a final plan of a Phase/Section within the planned development may be approved if:</p> <ul style="list-style-type: none"> <li>(a) The plan of the Phase/Section meets all requirements of a final plan.</li> <li>(b) The dwelling unit density within the Phase/Section does not exceed the dwelling unit density allowable for the least restrictive use for that area under existing zoning.</li> <li>(c) The Phase/Section can function as an independent development unit with adequate access, services, utilities, open space, etc.</li> <li>(d) The developer subdivides and improves all public rights-of-way necessary to support the Phase/Section.</li> <li>(e) The remaining Phase/Section is not left as an undevelopable remnant.</li> </ul> <p>14. <u>Final Plan Approval.</u> Final approval of any PD plan, or Phase/Section thereof, shall be by:</p> <ul style="list-style-type: none"> <li>(a) Administrative Staff review for a PD not requiring the immediate or future subdividing of property, i.e. the PD is contained on one parcel and shall not be subdivided.</li> <li>(b) Review and approval by the Planning Commission as a subdivision when lots or parcels are shown or proposed, i.e. the normal subdivision process is required but only as a Final Subdivision Plat.</li> </ul> <p>Approval shall be based on compliance with an approved preliminary PD plan and any modifications required by the County Rural Zoning Commission and County Commission at the time the land was zoned to PD. The Final Plan shall be considered void unless a building permit has been issued for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved.</p> <p>15. <u>Recording of Final Plan.</u> After approval of the PD Final Plan noted in 3. above, said approved Final Plan shall be recorded in the office of the County Recorder.</p> <p>16. <u>Building and Zoning Permits.</u> After the PD Final Plan has been recorded as noted in 15. above, the final plan, or parts of the final plan, as finally approved, shall be filed with Building and Zoning Officials. Building and zoning permits may be issued only for structures conforming to the PD plan.</p>	

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>17. Changes in an Approved Final PD Plan. Major changes in an approved final PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director.</p> <p>18. Denial of PD Final Plan or Denial of Minor Change. Should a PD Final Plan be denied or a minor change be denied based on non-compliance with the PD Preliminary Plan, the applicant may request a review by the Rural Zoning Commission for a determination of compliance or non-compliance.</p>	

ZONING REGULATIONS
<p><b>Section F PD-M Planned Development - Mixed Use District Requirements and Procedures</b></p> <p>1. Intent. The intent of the PD-M District regulations is to:</p> <ul style="list-style-type: none"> <li>(a) Provide flexibility for a variety of land uses arranged in such a way as to develop a plan permitting a mixture of types of buildings and uses in harmony with the each other which are not provided for in any of the other "PD" Districts;</li> <li>(b) Encourage the preservation and best use of existing landscape features through development sensitive to the natural features of the surrounding area;</li> <li>(c) Promote efficient land use with smaller networks of utilities and streets;</li> <li>(d) Encourage and preserve opportunities for energy efficient development; and</li> <li>(e) Promote an attractive environment that is compatible with surrounding developments.</li> </ul> <p>2. Permitted Uses. Those uses included as permitted principal uses, accessory uses, and conditional uses in any zoning district except the R-MHP District. The Rural Zoning Commission or County Commission may exclude any proposed use determined inappropriate for the specific PD-M.</p>



**Ohio Barn Bed and Breakfast**

8790 Dayton Rd.  
Fairborn, OH 45324

**Preliminary PD Plan**

1. Location Map – Exhibit 1
2. Preliminary Plan – Exhibit 2
  - a. Existing uses – Single Family Residential
  - b. Proposed uses –
    - Single family residential
    - Transit Residential –2 bedroom Bed and Breakfast with serving kitchen
    - Banquet/Assembly Meeting area
    - Catering kitchen
3. Topography – Exhibit 3
4. Floodplain data – NA
5. Utilities – Exhibit 4
  - a. Water provided by private well in conformance with the Clark County Health Department
  - b. Sewer
    - Single-family residential Existing septic system and leach bed located in the front yard of the home
    - Commercial use – new EPA approved mound system
    - Public sewer is economically infeasible for this property
  - c. Electric – Local power company
  - d. Gas – Local power company
6. Drainage – Existing sheet drainage - No changes anticipated
7.
  - a. All parking will be on natural surfaces – grass
8. Number of structures - Three
  - a. Existing single family residence – 2,321 SF
  - b. Existing barn for Bed and Breakfast and Assemble space - 2,400 SF
  - c. Proposed storage and toilet room building – 500 SF
8. Non – residential uses
  - a. Building size to lot ratio – 4% land coverage
  - b. Exterior storage – none
  - c. Signage – existing to remain
    1. New 32 SF two sided sign located on the north side of the road 12'-0" off the right of way.
    2. Signage along Dayton Road paid for by owner and erected by Clark County.
    3. Signage on property located as shown on site plan
9. Proposed building arrangement –Exhibit 2

**EXHIBIT 'B'**

10. Open Space - NA
11. Architectural design – see attached photographs and brochures
12. Legal description – Exhibit 5
13. Parking provisions
  - a. Existing parking will be on grass for general parking  
Parking is anticipated at a maximum of 75 cars or approximately 22,500 SF  
Occupancy of the Barn will be limited to 125 persons.
  - b. Handicapped parking will be on asphalt paving in areas indicated on Exhibit 2
14. Loading facilities – The only loading that is required if for off site caterers who service the banquet facility. Delivery of off site prepared food is on the day of the event and is commonly by one small truck or van. At the end of the event the caterer removes all food, dishes, serving items etc. Delivery happens on the asphalt paving adjacent to the barn.
15. Landscaping - The existing natural landscaping will be maintained. The theme of this development is Ohio agricultural. The bed and breakfast and banquet facility are located in a renovated 1895 bank barn. The original timbers and stonework of the barn have been preserved with careful modifications that enhance the rustic and farm like character of the facility. A white pergola sits in a simple grass field and offers brides an opportunity for a garden wedding. In keeping with the owner, Karen Hamilton's artistic nature, the field behind the barn boasts a number of sculpture installations. These enhance the natural surrounds and add charm and ambiance without intruding on the environment.

The bank barn is divided by uses – bed and breakfast on the lower level and assembly on the upper level. An entry porch has been added to the upper level to create a sense of arrival and this porch is often used for food service. The entrance to the bed and breakfast is on the lower level and affords a more intimate approach. A landscaped stone walk and covered porch lead to the gathering room and two sleeping rooms.
16. Both the house and barn have been in existence on this property. The new uses will not impact the character or look of the grounds. The new storage/ toilet building complements the existing buildings. Its size is such that the impact on the site will be minimal. The wood construction will match the existing residence and adjacent barn.

Addition to the barn will include an exterior stair to provide emergency exiting for the users of the upper floor and modifications to the front entry/deck to allow for handicapped accessibility.
17. The area immediately adjacent and within 200 feet of the proposed use is agricultural in nature. There should be no impact.
18. The site is rolling and wooded along the perimeter. The new mound system is anticipated to be located in the southeast front corner of the property. The design will be integrated in the slope that fall from back to front and be covered with grass. The final appearance should not be significantly different from the existing.

Construction for the mound system will not impact land other than that immediately adjacent to the paved drive. It is being designed by Gary Davis who has worked in the area and is familiar with the EPA and Clark County requirements.

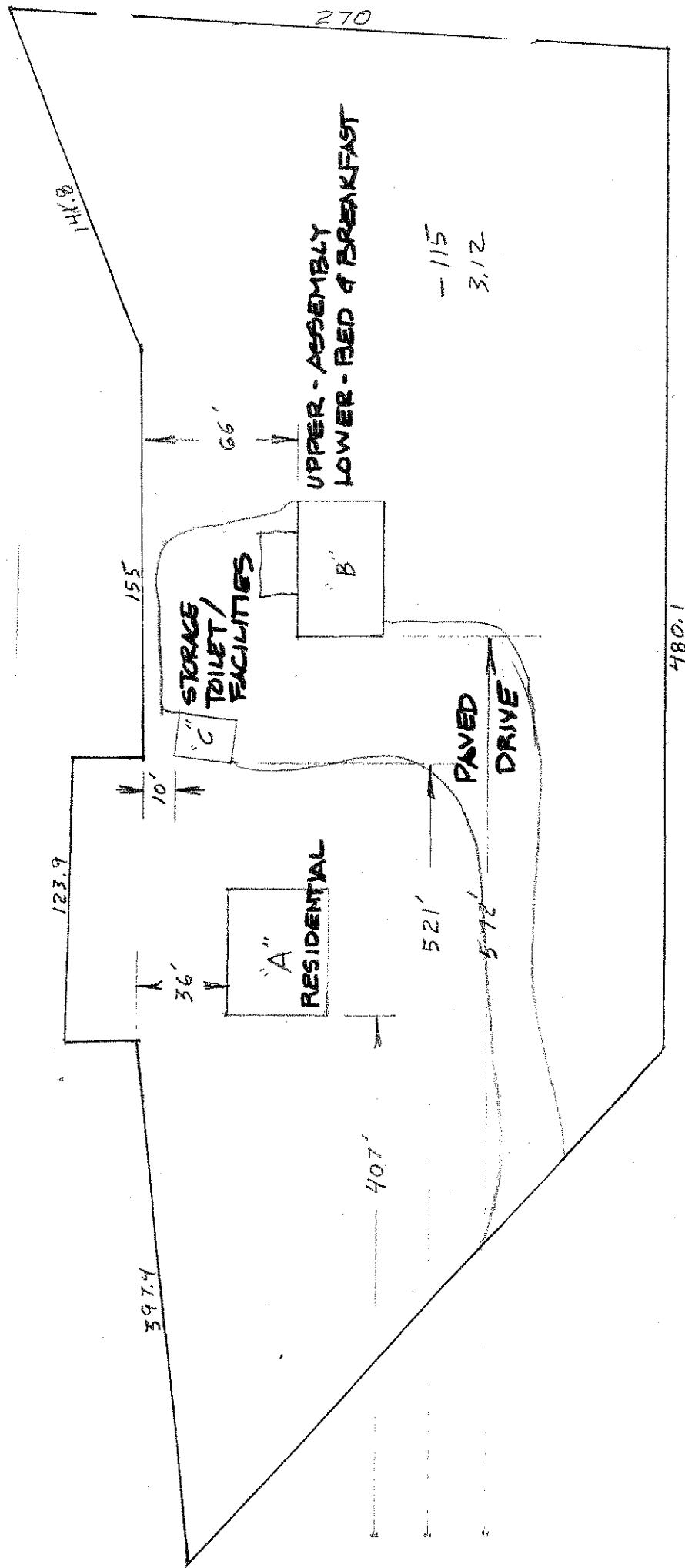
The location of the storage/toilet building is immediately adjacent to the paved drive and its construction should not impact any of the natural features of the area.

Modifications required to the upper level of the barn will be minor in nature and should not impact any of the areas around the barn itself. These modifications will include a new stair from the banquet area and a handicap accessible entry.

No modifications are anticipated for the bed and breakfast areas.

19. It is anticipated that work on the mound system will be late 2006 –early 2007. During this same period, the storage barn will be completed and the modifications will be made to the barn.

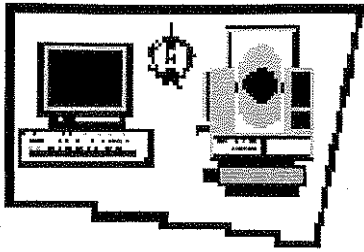
All areas of construction are accessible from the paved drive or parking areas. This will prevent any damage to the site.



"A" - House 48' X 54'  
 "B" - BARN 40' X 60'  
 "C" - STORAGE 20' X 25'

Under Construction

# **EXHIBIT 2** **PROPOSED USES**



Clark County  
Engineer's Department  
4075 Laybourne Rd Springfield, Ohio 45505-3613  
Bruce C. Smith, P.E., P.S.  
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

July 25, 2006

Clark County Planning Commission  
25 West Pleasant Street  
Springfield, Ohio 45506  
Attention: Phil Tritle, Planner

Re: **Rezoning Request Z-2006-10**  
**3.12 acres from A-1 to PD-M**  
**8790 Dayton Road**

Mr. Tritle,

The County Engineer has reviewed the request to rezone 3.12+ acres located at 8790 Dayton Road, from A-1 Agricultural zoning to Planned Development Mixed Use (PD-M) zoning for the Ohio Barn Bed & Breakfast. There are existing buildings located on the property, which are being renovated for use as the B&B.

Access to a public roadway (Dayton Road) is provided via a parallel access road, Ada Lane from the bed and breakfast facility. Dayton Road functions as a major collector, as designated on the Clark County Thoroughfare Plan... There are no expected issues related to traffic anticipated by the proposed use, which is considered low impact by this office.

The drainage appears satisfactory under the present use. It is not anticipated that the requested zoning change and/or use of the property will have any significant impact on the amount of runoff. No major changes to landscape are expected, that would require the owner to develop or address stormwater issues at this time.

Based upon our review of access and drainage, there are no objections to the requested change.

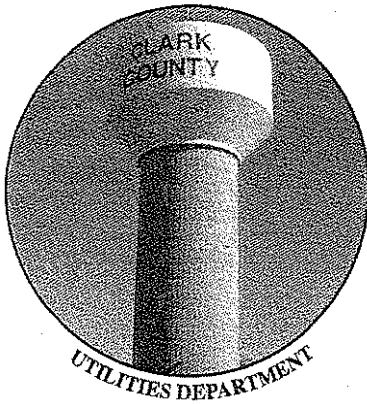
Sincerely,

Bruce C. Smith P.E., P.S.  
Clark County Engineer

Kenneth D. Fenton  
Deputy Engineer

Donald Boyle – Road Superintendent  
Paul W. DeButy P.E. – Design Engineer  
Kenneth D. Fenton, P.S., Deputy Engineer  
Doug Frank – Bridge Superintendent  
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director  
Shayne Gray – GIS/CAD Coordinator  
Mark Niccolini – Ditch Maintenance Supervisor  
Lew Richards – Traffic Supervisor  
Ned G. Weber, Deputy Engineer



# Clark County Department of Utilities

Garfield Building • 25 W. Pleasant Street • P.O. Box 1303 • Springfield, Ohio 45501-1303  
Tel: (937) 328-2493 • Fax: (937) 328-2616 • [www.clarkcountyohio.gov](http://www.clarkcountyohio.gov)

Alice Godsey, P.E., *Director*  
Charles Bauer, P.E., *Deputy Director*

Christopher Neary, *Business Systems Manager*  
Priya Krishna, *Customer Service Supervisor*  
David Leist, *Chief Operator*  
Dave Hasting, *Field Services Supervisor*

July 13, 2006

Clark County Planning Commission  
25 West Pleasant Street  
Springfield, Ohio 45506  
Attention: Mr. Phil Tritle, Senior Planner

Re: Review Comments – Rezoning  
Case Z-2006-10, 8790 Dayton Road  
(3.12 ac.)

Mr. Tritle,

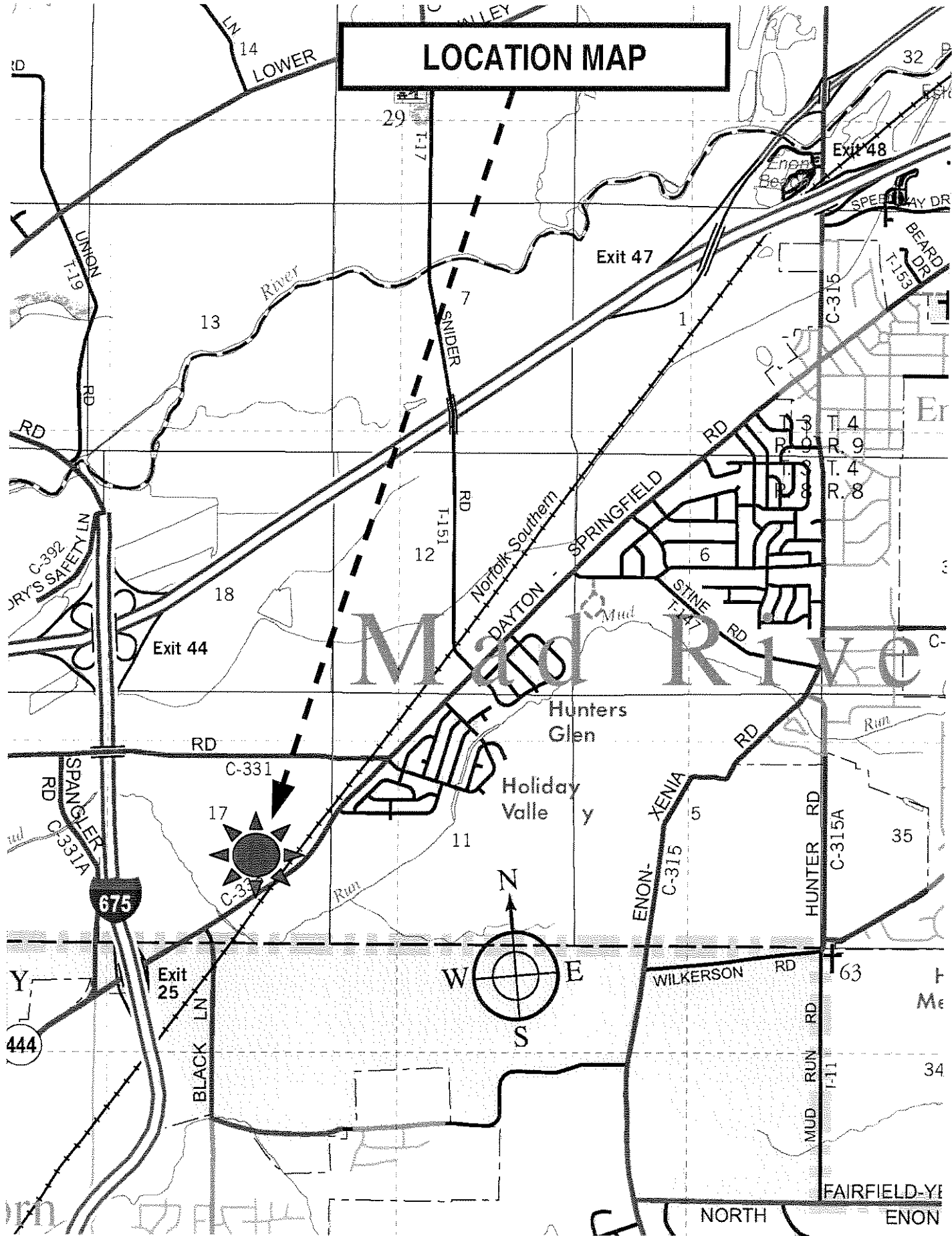
The Clark County Utilities Department has reviewed the referenced rezoning case and has the following comments. Public water is available to the property. An extension of public water was constructed west along Dayton Road to Black Lane in 2005. The waterline runs along the southern perimeter of the referenced property.

Based on our review of the information provided, we have no objections to the proposed rezoning. Please let me know if you have any questions or comments concerning the above.

Sincerely,

Charles W. Bauer, P.E.  
Deputy Director of Utilities

cc: Director Godsey, email



**REZONING CASE #Z-2006-10**

**A-1 to PD-M**

**3.12 ac.**

**8790 Dayton Rd.**

**Mad River Twp.**

# ZONING MAP



**REZONING CASE #Z-2006-10**

**A-1 to PD-M**

**3.12 ac.**

**8790 Dayton Rd.**

**Mad River Twp.**



## Rezoning Case # Z-2006-11

To: Clark Planning Commission	Date of Meeting: August 2, 2006
From: Planning Staff	Date of Report: July 25, 2006

**Applicant:** Robert L. Adams

**Request Action:** Rezone from - **A-1** (Agriculture District) & **FP** (Flood Plain Overlay District)  
to - **AR-10** (Agricultural/Residential District)  
[NOTE: **FP** (Flood Plain Overlay District) will remain]

**Purpose:** To split 56.045 acres into 3 large lots

**Location:** 4870 Mumper Rd.

**Size:** 56.045 acres

**Existing Land Use:** single-family residence & agricultural

### Surrounding Land Use and Zoning:

	Land Use	Zoned
<b>North</b>	Agriculture & Residential	A-1 (Agricultural)
<b>South</b>	Agriculture & Residential	A-1 (Agricultural) & FP (Flood Plain Overlay District)
<b>East</b>	Agriculture & Residential	A-1 (Agricultural)
<b>West</b>	Agriculture & Residential	A-1(Agricultural) & R-1 (Rural Residence District)

### ANALYSIS

This area was zoned A-1 Agricultural when zoning was originally adopted.

### REPORTS FROM OTHER AGENCIES

#### *County Engineer*

The County Engineer has reviewed the request to rezone part of 57 acres located near 4870 Mumper Road from A-1 Agricultural zoning to AR-10 Agricultural Residential zoning to facilitate subdividing the farm into three parcels. It appears there is an existing dwelling located within the proposed 15 acre tract submitted with the application and which is presently serviced by a drive off Mumper Road.

Access to a public roadway (Mumper Road) is directly available, however separate drive permits would be required for each location.

Drainage appears adequate under the present agricultural use, with the site draining southeast towards Buck Creek. However, a substantial portion of the property proposed for rezoning to AR 10 is located within the 100 year floodplain of Buck Creek, as designated on FIRM panel 390732 0100 A - Zone A. All or nearly all of the tract marked with 22.82 acres is within floodplain, and a portion of the 18.08 acre tract may be within floodplain.

Based upon our review of access and drainage, it is recommended to only approve the rezoning for the 15+ acre portion of the request, which contains the existing farmhouse. We object to further dividing the remainder tract, due to floodplain limitations, poor soils and drainage concerns.

*(See July 25, 2006 letter)*

### ***Planning Department***

This property is classified by the Clark County Land Use Plan as Rural Residential which should be directed to portions of Moorefield and Springfield townships. These specific areas are north of Moorefield Road, east of Buck Creek State Park and south of I-70. A clustered, open-space design to residential subdivisions should be stressed, with significant open space components permanently set aside to minimize visual and environment impact. Alternative technologies for wastewater treatment and disposal should be considered where sanitary sewer is unavailable.

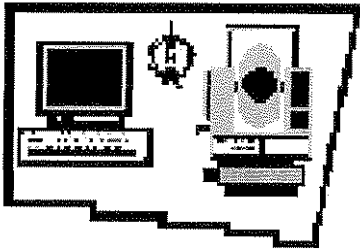
The applicant wishes to split this 56.045 acre tract into 3 large lots - 15.153 ac., 18.080 ac., & 22.812 ac. The 15.153 acre tract contains a single-family residence. The applicant notes "the character of the area will remain unchanged, however, homes and or barns may be constructed on the parcels by future generations to enjoy". The 22.812 acre parcel is almost entirely within the 100 year flood plain. The Health District notes the soils on the proposed two eastern lots are mapped as "muck" and are not acceptable for sewage treatment.

### **RECOMMENDATION**

---

The Staff recommends approval of rezoning only the 15.153 acre lot to AR-10.

Attachments:  
*County Engineer's letter*  
*Location Map*  
*Zoning Map*



Clark County  
Engineer's Department  
4075 Laybourne Rd Springfield, Ohio 45505-3613  
Bruce C. Smith, P.E., P.S.  
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

July 25, 2006

Clark County Planning Commission  
25 West Pleasant Street  
Springfield, Ohio 45506  
Attention: Phil Tritle, Planner

Re: **Rezoning Request Z-2006-11**  
**57+ acres from A-1 to AR 10**  
**4870 Mumper Road PPN 0300005000053**

Mr. Tritle,

The County Engineer has reviewed the request to rezone part of 57 acres located near 4870 Mumper Road from A-1 Agricultural zoning to AR-10 Agricultural Residential zoning to facilitate subdividing the farm into three parcels. It appears there is an existing dwelling located within the proposed 15 acre tract submitted with the application and which is presently serviced by a drive off Mumper Road.

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Sincerely,

Bruce C. Smith P.E., P.S.  
Clark County Engineer

Kenneth D. Fenton  
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Donald Boyle – Road Superintendent  
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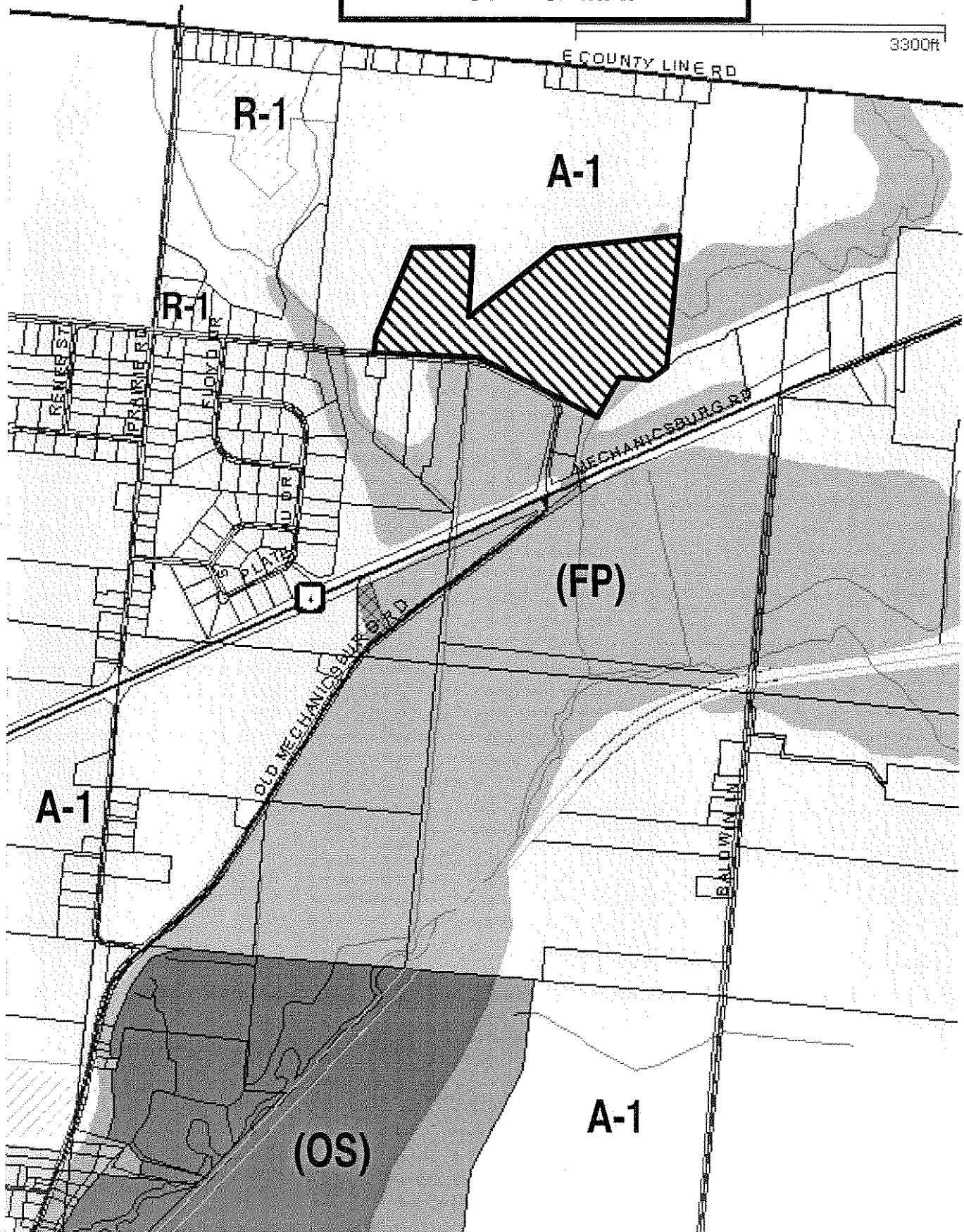
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## A-1 to AR-10

**56.045 ac.**

**4870 Mumper Rd.  
Moorefield Twp.**

# ZONING MAP



**REZONING CASE #Z-2006-11**

**A-1 to AR-10**

**56.045 ac.**

**4870 Mumper Rd.**

**Moorefield Twp.**

# PROPOSED LOTS

1630ft

E COUNTY LINE RD

Tract III  
15.153 ac.

Tract IV  
18.080 ac.

Tract V  
22.812 ac.

MUMPER RD

MECHANICSBURG RD

REZONING CASE #Z-2006-11

A-1 to AR-10

56.045 ac.

4870 Mumper Rd.

Moorefield Twp.

# CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

May 2003

## A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Agriculture, Farm Markets, & related buildings & structures	
2. Agricultural-Related Processing & Marketing	
3. Single-Family Residential	
4. Single-Family Residential (restricted to lotsplits)	
5. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)	
6. Private Landing Field	
7. Day-Care Homes	
8. Bed and Breakfast	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Home Occupations	
2. Private and Public Outdoor Recreation Areas	
3. Cemeteries	
4. Animal Hospitals, Veterinary Clinics & Kennels	
5. Resource and Mineral Extraction	
6. Demolition Disposal Facility	
7. Airports	
8. Radio, Television, & Telecommunications Transmission & Receiving Towers	
9. Hospitals and Auxiliary Facilities	
10. Group Care Home	
11. Nursing Homes, Convalescent Homes, & Rest Homes	
12. Feed Lot, Grain Elevators, & Slaughterhouses	
13. Day-Care Centers	
14. Churches and Similar Places of Worship	
15. Primary and Secondary Schools	
16. Institutions of Higher Learning	
17. Garden Centers and Greenhouse	

## AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	AR-1	AR-2	AR-5	AR-10	AR-25
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary and Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

## R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
2. Bed and Breakfast	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-1	R-2	R-2A	R-2B
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	N	Y
	N	N	N	Y
7. Farm Markets	Y	Y	Y	Y
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
10. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	N
11. Radio, Television & Telecommunication Transmission / Receiving Towers	Y	N	N	N
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

## R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

Y = Yes (Permitted)

N = No (Not Permitted)

## R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-3	R-4
1. Zero Lot Line, Cluster, Detached, Semi-detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

## PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential)
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M (Mixed Uses)
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation



# CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

May 2003

## B-1, B-2, B-3 & B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	B-1	B-2	B-3	B-4
1. Business and/or Professional Offices	Y	Y	Y	Y
2. Banks & Financial Institutions	Y	Y	Y	Y
3. Eating & Drinking Places, excluding Drive-in or Carry-out	Y	Y	Y	Y
4. Radio and Television Broadcasting Studios	Y	Y	Y	Y
5. Funeral Homes & Mortuaries	Y	Y	Y	Y
6. Automotive Service Stations	Y	Y	Y	Y
7. Custom Butcher Shops	Y	Y	Y	Y
8. Indoor Motion Picture Theaters	N	Y	Y	Y
9. Retail Food Stores	N	Y	Y	Y
10. Drive-in, Fast Food, Drive-in Carry-out Restaurants and/or Drive-through Retail Establishments	N	Y	Y	Y
11. Garden Centers, Greenhouses	N	Y	Y	Y
12. Automotive Repair Garages	N	Y	Y	Y
13. Car Washes	N	Y	Y	Y
14. Air Conditioning, Plumbing, Heating, and Roofing Shops	N	Y	Y	Y
15. Automotive & Auto Accessory Sales	N	Y	Y	Y
16. Building and Related Trades	N	Y	Y	Y
17. Commercial Recreation Establishments	N	Y	Y	Y
18. Animal Hospitals, Veterinary Clinics, and Kennels	N	N	Y	Y
19. Building Material Sales Yard	N	N	Y	Y
20. Drive-In Motion Picture Theater	N	N	Y	Y
21. Private and Public Outdoor Recreation Areas	N	N	Y	Y
22. Motels and Hotels	N	N	Y	Y
23. Hospitals & Auxiliary Facilities	N	N	Y	Y
24. Automotive Body Shop	N	N	Y	Y
25. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business	N	N	N	Y
26. Bottling of Soft Drinks and Milk or Distributing Stations	N	N	N	Y
27. Contractor's Equipment Storage Yard or Storage & Rental Contractor's Equipment	N	N	N	Y
28. Motor Vehicle, Boat, & Camper Storage	N	N	N	Y
29. Trucking and Motor Freight Station or Terminal	N	N	N	Y
30. Carting, Express, or Hauling Establishments	N	N	N	Y
31. Stone or Monument Works	N	N	N	Y
32. Mini-Warehouse or Self Storage Facilities	N	N	N	Y

## B-1, B-2, B-3 & B-4

CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	B-1	B-2	B-3	B-4
1. Commercial Recreation Establishments	Y	--	--	--
2. Day-Care Centers	Y	Y	Y	Y
3. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	Y
4. Clubs, Fraternal or Lodge Organizations	Y	Y	Y	Y
5. Animal Hospitals, Veterinary Clinics, and Kennels	Y	Y	--	--
6. Bars and Taverns	N	Y	Y	Y
7. Wholesale Establishments	N	N	Y	Y
8. Adult Entertainment Establishments	N	N	N	Y

## I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:
1. Industrial & Manufacturing Establishments
2. Warehouses
3. Wholesale Establishments
4. Manufacturing Retail Outlets
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District
2. Junkyards & Automobile Wrecking Yards
3. Resource and Mineral Extraction
4. Penal & Correctional Facilities
5. Sanitary Landfills

## O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

Y = Yes (Permitted)

N = No (Not Permitted)